



July 2, 2013

Mr. Rick Clark, City Manager
City of Des Moines
400 Robert D. Ray Drive
Des Moines, Iowa 50309

Re: Bus bench ads in city right of way

Dear Rick,

I would like to draw your attention to anti-transit advertisements that appear on bus benches within the city right-of-way, and appeal to you to consider updating the city code to prohibit from such advertising messages in the future.

The advertisements are for J.D. Byrider, a used car seller and finance company with a dealership at 2426 S.E. 14th Street, Des Moines. The ads include the statement "Why ride the bus? You can drive with us!" They are posted at several locations throughout Des Moines, including one near Ingersoll and 18th Street and two on University Avenue near the Waveland Golf Course.



These ads send conflicting messages from the City and DART to the residents of Greater Des Moines. As a region, we publicly stress the importance of supporting and utilizing alternative transportation such as trails, bike lanes and public transit. This has been consistently reflected in the DART Forward 2035 Plan, Capital Crossroads and The Tomorrow Plan.

We unintentionally cloud such important messages by simultaneously allowing these anti-transit ads in the public right-of-way. We seem to be qualifying our support, as though we were saying, "Use public transit – but only if you can't afford a car."

This is not a message we should be sending. Not only does it discourage transit use, it also reinforces a false stereotype that transit riders are made up entirely of those who can't afford a car. To the contrary, DART data show that transit riders come from diverse socio-economic backgrounds and that many of them own personal vehicles but chose to utilize public transit.

**Des Moines
Area Regional
Transit Authority**

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Des Moines, Iowa
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We propose that there is a way to avoid sending such mixed signals, and that it could be achieved by updating the city code that provides guidelines for advertising on benches in the public right-of-way (*Article VI. Benches, Sec. 1-2-424. Advertising*). The code does exclude some types of advertisements such as for tobacco and alcohol.

We propose adding language to that section to exclude “advertisements and images that threaten or adversely affect: the public image of the city’s public right-of-way, related programs and activities of the public right of way, and public services that utilize the public right of way.”

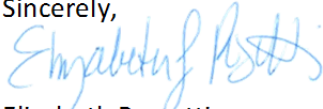
This would be consistent with DART’s advertising policy. DART would not accept the same ad from J.D. Byrider on the grounds that it “adversely affects DART’s ability to attract and maintain the patronage of passengers.”

We do appreciate the public service that private advertising firms such as Creative Outdoor Advertising provide to transit riders in Des Moines by placing benches throughout the city. In no way would we want to place overly restrictive burdens on them and their ability to conduct business.

We believe that the proposed code change meets the goal objective of encouraging use of alternative transportation, while still providing flexibility for advertisers to reach their customers. In the case of the J.D. Byrider advertisement, the language could be rewritten slightly to avoid disparaging transit and still reach the intended audience of potential car buyers.

We would be happy to further discuss any concerns you may have. Feel free to call me at 515-283-8115.

Sincerely,



Elizabeth Presutti

DART General Manager